

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

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In re:	:	
	:	
THE FINANCIAL OVERSIGHT AND	:	PROMESA
MANAGEMENT BOARD FOR PUERTO RICO,	:	Title III
	:	
as representative of	:	Case No. 17-BK-3283 (LTS)
	:	
THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i> ,	:	(Jointly Administered)
	:	
Debtors. <sup>1</sup>	:	
	X	

**CERTIFICATE OF NO OBJECTION REGARDING THE OMNIBUS MOTION BY THE  
AVOIDANCE ACTIONS TRUSTEE, SPECIAL CLAIMS COMMITTEE, AND  
COMMITTEE TO SUBSTITUTE THE AVOIDANCE ACTIONS TRUSTEE AS  
PLAINTIFF IN ADVERSARY PROCEEDINGS TRANSFERRED TO THE  
AVOIDANCE ACTIONS TRUST**

On April 12, 2022, Drivetrain, LLC (“Trustee”), in its capacity as the trustee of the Commonwealth Avoidance Actions Trust (the “Avoidance Actions Trust”), together with the Special Claims Committee of the Financial Oversight and Management Board for Puerto Rico (the “Special Claims Committee”) and the Official Committee of Unsecured Creditors of the Debtors (except PBA and CONFINA) (the “Committee”, and together with the Special Claims Committee, the “Pre-Effective Date Plaintiffs”), filed an *Omnibus Motion by the Avoidance Actions Trustee, Special Claims Committee, and Committee to Substitute the Avoidance Actions Trustee as Plaintiff*

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<sup>1</sup> The Debtors in these title III cases, along with each Debtor’s respective title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566(LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations.

*in Adversary Proceedings Transferred to the Avoidance Actions Trust* (the “Motion”) (DE 20548), accompanied by a notice of hearing (“Hearing Notice”) filed on April 14, 2022 (DE 20559).

The Hearing Notice stated that a hearing on the Motion would take place on May 18, 2022 at 9:30 a.m. (AST) (“the Hearing”) or at such other place and time as ordered by the Court. Objections to the Motion were to be filed and served no later than May 3, 2022, at 4:00 PM (AST) (the “Objection Deadline”). The Hearing Notice further stated that the request for relief in the Motion may be granted and an order entered without a hearing unless a timely Objection was made. According to the *Sixteenth Amended Notice, Case Management and Administrative Procedures* (DE 20190-1) (“Case Management Procedures”), the Court may enter an order granting a request for relief without a hearing upon receipt of a certificate of no objection (“CNO”, as defined in the Case Management Procedures).

In accordance with the Case Management Procedures, the undersigned states that he is filing this CNO not less than 48 hours after the expiration of the Objection Deadline. The undersigned further certifies that he has reviewed the Court’s docket in this case not less than 48 hours after the Objection Deadline and that no applicable objection, responsive pleading, or request for a hearing with respect to the Motion appears on the docket.

WHEREFORE, the undersigned respectfully requests that the Court enter the Proposed Order attached hereto as Exhibit A granting the relief requested in the Motion.

**RESPECTFULLY SUBMITTED.**

**I HEREBY CERTIFY**, that on this same date, a true copy of the foregoing was filed through the Court’s CM/ECF system, which will generate a notice to all CM/ECF participants in this case.

Dated, this 9<sup>th</sup> day of May, 2022.

/s/ John Arrastia

John Arrastia, Esq. (*Pro Hac Vice*)  
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Angelo M. Castaldi, Esq. (*Pro Hac Vice*)

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*Counsel to the Avoidance Actions Trustee*

-and-

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*Local Counsel to the Avoidance Actions Trustee*

**Exhibit A**  
**(Proposed Order)**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.<sup>1</sup>

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PROMESA  
Title III

Case No. 17-BK-3283 (LTS)  
(Joint Administered)

**ORDER GRANTING OMNIBUS MOTION BY THE TRUSTEE, SPECIAL CLAIMS  
COMMITTEE, AND COMMITTEE TO SUBSTITUTE THE AVOIDANCE ACTIONS  
TRUSTEE AS PLAINTIFF IN ADVERSARY PROCEEDINGS TRANSFERRED TO  
THE AVOIDANCE ACTIONS TRUST**

This matter is before the Court on the *Omnibus Motion by the Avoidance Actions Trustee, Special Claims Committee, and Committee to Substitute the Avoidance Actions Trustee as Plaintiff in Adversary Proceedings Transferred to the Avoidance Actions Trust* (Docket No. 20548 in Case No. 17-BK-3283) (“Motion”)<sup>2</sup> filed jointly by the Avoidance Actions Trustee, the Special Claims Committee, and the Committee. Sufficient cause being shown, it is hereby

ORDERED that:

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> All capitalized terms that are not otherwise defined in this Order shall have the meanings given to them in the Motion.

1. The Motion is GRANTED.
2. The Trustee is substituted as the plaintiff in the AAT Avoidance Actions.
3. The captions of all further filings in the AAT Avoidance Actions shall identify the Trustee as the plaintiff and omit reference to the Pre-Effective Date Plaintiffs as plaintiffs.
4. The Special Claims Committee and Committee are no longer parties in the AAT Avoidance Actions, and their counsel shall be discharged of further responsibility in the AAT Avoidance Actions and their appearances deemed withdrawn.
5. This Order resolves Docket Entry No. \_\_\_\_\_ in Case No. 17-3283.

SO ORDERED.

Dated: \_\_\_\_\_, 2022

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HON. JUDITH GAIL DEIN  
United States Magistrate Judge

**APPENDIX**

**AAT AVOIDANCE ACTIONS**

19-00042	19-00160
19-00043	19-00161
19-00044	19-00162
19-00048	19-00183
19-00049	19-00186
19-00051	19-00187
19-00053	19-00188
19-00054	19-00196
19-00055	19-00200
19-00056	19-00202
19-00060	19-00218
19-00062	19-00220
19-00063	19-00222
19-00068	19-00227
19-00075	19-00229
19-00088	19-00232
19-00092	19-00235
19-00093	19-00236
19-00098	19-00239
19-00102	19-00249
19-00114	19-00253
19-00122	19-00255
19-00127	19-00265
19-00129	19-00266
19-00130	19-00268
19-00134	19-00273
19-00143	19-00276
19-00145	19-00440
19-00150	
19-00152	
19-00155	